

FILED '08 JUN 10 16:53 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MOUNTAIN FORESTRY, INC.;)
FRANCISCO CISNEROS; PEREZ)
REFORESTATION, INC.; JOSE PEREZ,)
OREGON FORESTRY, INC.;)
OLIGARIO BARAJAS; NORTH)
PACIFIC FORESTRY, INC., SALVADOR)
PERES; and ELOY PEREZ,)

Plaintiffs,)

v.)

OREGON DEPARTMENT OF)
FORESTRY; STEVEN JOHNSON;)
PATRICIA MORGAN; DON MORITZ;)
and BILL LAFFERTY,)

Defendants.)

Civil Case No. 06-1082-AC

O R D E R

Kevin J. Jacoby
2731 Twelfth Street, SE
P. O. Box 3095
Salem, Oregon 97302

Attorney for Plaintiffs

Hardy Myers
Attorney General
David L. Kramer
Senior Assistant Attorney General
Xiomara Torres Mattson
Assistant Attorney General
Department of Justice
1162 Court Street, NE
Salem, Oregon 97301-4700

Attorneys for Defendants

KING, Judge:

The Honorable John Acosta, United States Magistrate Judge, filed Findings and Recommendation on April 9, 2008. Plaintiffs filed timely objections to the Findings and Recommendation.

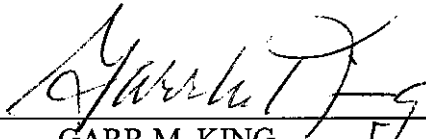
When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has therefore, given de novo review of the rulings of Magistrate Judge Acosta.

Defendants' Motion to Correct Record with Supplemental Affidavit of Bill Lafferty (#74) is denied as moot.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Acosta dated April 9, 2008 in its entirety.

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment (#38) is granted. The claims of Mountain Forestry, Inc., Francisco Cisneros, Perez Reforestation, Inc., Jose Perez, Oregon Forestry, Inc., and Oligario Barajas are dismissed with prejudice.

DATED this 19th day of June, 2008.



GARR M. KING
United States District Judge